

# Notice of Allowability

## Application No.

10/820,044

## Applicant(s)

GLAZIER, JORDAN WILLARD  
HAWKWOOD

## Examiner

Trang U. Tran

## Art Unit

2622

### -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on March 28, 2008.
2. ☒ The allowed claim(s) is/are 17-28 (renumbered 1-12).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

### THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>July 17, 2008</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.  |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael A. Gollin on July 17, 2008.

The application has been amended as follows:

In claim 17:

Line 2, the phrase "an interactive video game playing device" have been changed to -- a controlled electrical device--.

Line 3, the phrase "the interactive video game playing" have been changed to -- the controlled electrical--.

Line 4, the phrase "the interactive video game playing device" have been changed to -- the controlled electrical device--.

Lines 6-7, the phrase "the interactive video game playing device" have been changed to -- the controlled electrical device--.

In claim 18:

Line 2, the phrase "an interactive video game playing device" have been changed to -- a controlled electrical device--.

Line 3, the phrase "the interactive video game playing" have been changed to -- the controlled electrical--.

Line 4, the phrase “the interactive video game playing device” have been changed to -- the controlled electrical device--.

Line 6, the phrase “the interactive video game playing device” have been changed to -- the controlled electrical device--.

Lines 9-10, the phrase “the interactive video game playing device” have been changed to -- the controlled electrical device--.

In claim 19:

Line 3, the phrase “interactive video game playing device” have been changed to -- controlled electrical device--, and

“(iv), (v), (vi)” have been changed to --(i), (ii), (iii)--, respectively.

In claim 20, “(f), (g), (h), (i), (j), (vii), (viii), (ix)” have been changed to --(a), (b), (c), (d), (e), (i), (ii), (iii)--, respectively.

In claim 27, line 9, the phrase “an MP3 player, and an interactive video game playing device” have been changed to --and an MP3 player--, and

“(k), (l), (m), (n), (x), (xi), (xii)” have been changed to --(a), (b), (c), (d), (i), (ii), (iii)--, respectively.

In claim 28:

Line 8, the phrase “an MP3 player, and an interactive video game playing device” have been changed to --and an MP3 player--,

Last line, the phrase “and flashing light.” have been changed to --and flashing light; thereby changing the signal generator selection mode.--, and

“(o), (p), (q), (xiii), (xiv), (xv)” have been changed to --(a), (b), (c), (i), (ii), (iii)--, respectively.

These changes will place this application in condition for allowance.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 9:00 AM - 6:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Sinh N. Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 18, 2008

/Trang U. Tran/  
Primary Examiner, Art Unit 2622

Application/Control Number: 10/820,044  
Art Unit: 2622

Page 5